

## National Aeronautics and Space Administration

1815.201

### Subpart 1815.3—Source Selection

- 1815.300 Scope of subpart.
- 1815.300-70 Applicability of subpart.
- 1815.303 Responsibilities.
- 1815.304 Evaluation factors and significant subfactors.
- 1815.304-70 NASA evaluation factors.
- 1815.305 Proposal evaluation.
- 1815.305-70 Identification of unacceptable proposals.
- 1815.305-71 Evaluation of a single proposal.
- 1815.306 Exchanges with offerors after receipt of proposals.
- 1815.307 Proposal revisions.
- 1815.308 Source selection decision.
- 1815.370 NASA source evaluation boards.

### Subpart 1815.4—Contract Pricing

- 1815.403 Obtaining cost or pricing data.
- 1815.403-1 Prohibition on obtaining cost or pricing data.
- 1815.403-170 Waivers of cost or pricing data.
- 1815.403-3 Requiring information other than cost or pricing data.
- 1815.403-4 Requiring cost or pricing data.
- 1815.404 Proposal analysis.
- 1815.404-2 Information to support proposal analysis.
- 1815.404-4 Profit.
- 1815.404-470 NASA Form 634.
- 1815.404-471 NASA structured approach for profit or fee objective.
- 1815.404-471-1 General.
- 1815.404-471-2 Performance risk.
- 1815.404-471-3 Contract type risk and working capital adjustment.
- 1815.404-471-4 Other considerations.
- 1815.404-471-5 Facilities capital cost of money.
- 1815.404-471-6 Modification to structured profit/fee approach for nonprofit organizations.
- 1815.404-472 Payment of profit or fee under letter contracts.
- 1815.406 Documentation.
- 1815.406-1 Prenegotiation objectives.
- 1815.406-170 Content of the prenegotiation position memorandum.
- 1815.406-171 Installation reviews.
- 1815.406-172 Headquarters reviews.
- 1815.406-3 Documenting the negotiation.
- 1815.407 Special cost or pricing areas.
- 1815.407-2 Make-or-buy programs.
- 1815.408 Solicitation provisions and contract clauses.
- 1815.408-70 NASA solicitation provisions and contract clauses.

### Subpart 1815.5—Preaward, Award, and Postaward Notifications, Protests, and Mistakes

- 1815.504 Award to successful offeror.
- 1815.506 Postaward debriefing of offerors.
- 1815.506-70 Debriefing of offerors—Major System acquisitions.

### Subpart 1815.6—Unsolicited Proposals

- 1815.602 Policy.
- 1815.604 Agency points of contact.
- 1815.606 Agency procedures.
- 1815.606-70 Relationship of unsolicited proposals to NRAs.
- 1815.609 Limited use of data.
- 1815.609-70 Limited use of proposals.
- 1815.670 Foreign proposals.

### Subpart 1815.70—Ombudsman

- 1815.7001 NASA Ombudsman Program.
- 1815.7002 Synopses of solicitations and contracts.
- 1815.7003 Contract clause.

AUTHORITY: 42 U.S.C. 2473(c)(1).

SOURCE: 63 FR 9954, Feb. 27, 1998, unless otherwise noted.

### Subpart 1815.2—Solicitation and Receipt of Proposals and Information

#### 1815.201 Exchanges with industry before receipt of proposals. (NASA supplements paragraphs (c) and (f))

(c)(6)(A) Except for acquisitions described in 1815.300-70(b), contracting officers shall issue draft requests for proposals (DRFPs) for all competitive negotiated acquisitions expected to exceed \$1,000,000 (including all options or later phases of the same project). DRFPs shall invite comments from potential offerors on all aspects of the draft solicitation, including the requirements, schedules, proposal instructions, and evaluation approaches. Potential offerors should be specifically requested to identify unnecessary or inefficient requirements. If the DRFP contains Government-unique standards, potential offerors should be invited to identify voluntary consensus standards that meet the Government's requirements as alternatives to Government-unique standards cited as requirements, in accordance with FAR 11.101 and OMB Circular A-119. Comments should also be requested on any perceived safety, occupational health, security (including information technology security), environmental, export control, and/or other programmatic risk issues associated with performance of the work. When considered appropriate, the statement of work or the specifications may be

## 1815.203

issued in advance of other solicitation sections.

(B) Contracting officers shall plan the acquisition schedule to include adequate time for issuance of the DRFP, potential offeror review and comment, and NASA evaluation and disposition of the comments.

(C) When issuing DRFPs, potential offerors should be advised that the DRFP is not a solicitation and NASA is not requesting proposals.

(D) Whenever feasible, contracting officers should include a summary of the disposition of significant DRFP comments with the final RFP.

(E) If performance-based payments are planned to be used in a competitive negotiated acquisition, the DRFP shall request potential offerors to suggest terms, including performance events or payment criteria. Contracting officers shall use that information to establish a common set of performance-based payments parameters in the formal RFP when practicable.

(F) The procurement officer may waive the requirement for a DRFP upon written determination that the expected benefits will not be realized given the nature of the supply or service being acquired. The DRFP shall not be waived because of poor or inadequate planning.

(f)(i) Upon release of the formal RFP, the contracting officer shall direct all personnel associated with the acquisition to refrain from communicating with prospective offerors and to refer all inquiries to the contracting officer or other authorized representative. This procedure is commonly known as a “blackout notice” and shall not be imposed before release of the RFP. The notice may be issued in any format (e.g., letter or electronic) appropriate to the complexity of the acquisition.

(ii) Blackout notices are not intended to terminate all communication with offerors. Contracting officers should continue to provide information as long as it does not create an unfair competitive advantage or reveal proprietary data.

[63 FR 9954, Feb. 27, 1998, as amended at 63 FR 44408, Aug. 19, 1998; 65 FR 12484, Mar. 9, 2000; 65 FR 31102, May 16, 2000; 65 FR 37059, June 13, 2000]

## 48 CFR Ch. 18 (10–1–02 Edition)

### 1815.203 Requests for proposals.

#### 1815.203–70 Installation reviews.

(a) Installations shall establish procedures to review all RFPs before release. When appropriate given the complexity of the acquisition or the number of offices involved in solicitation review, centers should consider use of a single review meeting called a Solicitation Review Board (SRB) as a streamlined alternative to the serial or sequential coordination of the solicitation with reviewing offices. The SRB is a meeting in which all offices having review and approval responsibilities discuss the solicitation and their concerns. Actions assigned and changes required by the SRB shall be documented.

(b) When source evaluation board (SEB) procedures are used in accordance with 1815.370, the SEB shall review and approve the RFP prior to issuance.

#### 1815.203–71 Headquarters reviews.

For RFPs requiring Headquarters review and approval, the procurement officer shall submit ten copies of the RFP to the Assistant Administrator for Procurement (Code HS). Any significant information relating to the RFP or the planned evaluation methodology omitted from the RFP itself should also be provided.

[65 FR 12485, Mar. 9, 2000]

#### 1815.203–72 Risk management.

In all RFPs and RFOs for supplies or services for which a technical proposal is required, proposal instructions shall require offerors to identify and discuss risk factors and issues throughout the proposal where they are relevant, and describe their approach to managing these risks.

[65 FR 70316, Nov. 22, 2000]

#### 1815.204 Contract format.

##### 1815.204–2 Part I—The Schedule. (NASA supplements paragraph (c))

(c) To the maximum extent practicable, requirements should be defined as performance based specifications/